

Freedom to Speak Up Policy

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Purpose	All NHS organisations and others providing NHS healthcare services in primary and secondary care in England are required to adopt the national policy as a minimum standard to help normalise speaking up for the benefit of patients and workers. Its aim is to ensure all matters raised are captured and considered appropriately.
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Document control:		
Date:	Version Number:	Section and Description of Change
10/08/2022	1	Policy drafted for ICB as directed by NHSE National Team
23/11/2022	2	Policy approved at ICB People Board
05/09/2024	3	Minor policy updates made to include contact details for guardians, change in executive oversight and reference to localised procedure
17/06/2025	4	Minor policy updates to ensure reviewed in line with expiry date
12/12/25	5	Section 8 - Local counter fraud team (where concerns relate to fraud) the wording has been extended
10/09/26	6	References to the Chief Digital Officer being the Executive Lead for FTSU have been replaced with Chief Nurse.

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1. Introduction

All NHS organisations and others providing NHS healthcare services in primary and secondary care in England are required to adopt the national policy as a minimum standard to help normalise speaking up for the benefit of patients and workers. Its aim is to ensure all matters raised are captured and considered appropriately.

2. Equality Statement

The NHS Lancashire and South Cumbria ICB aims to design and implement policy documents that meet the diverse needs of our services, population, and workforce, ensuring that no one is placed at a disadvantage over others. It takes into account current UK legislative requirements, including the Equality Act 2010, the Human Rights Act 1998, and promotes equal opportunities for all. This document has been designed to ensure that no-one receives less favourable treatment due to their age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, gender or sexual orientation or Trade Union membership. Appropriate consideration has also been given to gender identity, socio-economic status, immigration status. and other health inclusion (vulnerable) groups.

3. Scope

This policy will apply to all employed and engaged individuals by NHS Lancashire and South Cumbria ICB, including Bank and Agency workers. The [NHS People Promise](#) commits to ensuring that “we each have a voice that counts, that we all feel safe and confident to speak up, and take the time to really listen to understand the hopes and fears that lie behind the words”.

This policy is considered as non-contractual.

4. Speak Up – We Will Listen

The ICB welcomes speaking up and we will listen. By speaking up at work you will be playing a vital role in helping the NHS to keep improving its services for all patients and the working environment for all of our staff.

We want to hear about any concerns you have, whichever part of the organisation you work in. The NHS is aware that some groups in the workforce feel they are seldom heard or are reluctant to speak up. There is also recognition that staff with disabilities, or from a minority ethnic background or the LGBTQ+ community do not always feel able to speak up.

All staff are asked to complete the [online training](#) on speaking up. The online module on listening up is specifically for line managers to complete and the module on following up is for senior leaders to complete.

You can find out more about what Freedom to Speak Up (FTSU) is [here](#). You can also access the ICB FTSU intranet page [here](#).

5. What Can I Speak Up About?

You can speak up about anything that gets in the way of patient care or affects your working life. That could be something which doesn't feel right to you: for example, a way of working or a process that isn't being followed; you feel you are being discriminated against; or you feel the behaviours of others is affecting your wellbeing, or that of your colleagues or patients. Speaking up is about all of these things.

Speaking up, therefore, captures a range of issues, some of which may be appropriate for other existing processes (for example, HR or patient safety/quality). All existing ICB policies can be located [here](#).

As an organisation, we will listen and work with you to identify the most appropriate way of responding to the issue you raise.

6. We Want You to Feel Safe to Speak Up

Speaking up is of benefit to the organisation as it helps identify opportunities for improvement that we might not otherwise know about.

The ICB will not tolerate anyone being prevented or deterred from speaking up or being mistreated because they have spoken up.

7. Who Can Speak Up?

Anyone who works in NHS healthcare, including pharmacy, optometry, and dentistry. This encompasses any healthcare professionals, non-clinical workers, receptionists, directors, managers, contractors, volunteers, students, trainees, junior doctors, locum, bank and agency workers, and former workers.

8. Who Can I Speak Up To?

Internally

Most speaking up happens through conversations with supervisors and line managers where challenges are raised and resolved quickly. The ICB strives for a culture where that is normal, everyday practice and encourages you to explore this option – it may well be the easiest and simplest way of resolving matters.

However, you have other options in terms of who you can speak up to, depending on what feels most appropriate to you:

- Senior manager, partner, or director with responsibility for the subject matter you are speaking up about.
- The Quality Assurance and Safety team (where concerns relate to patient safety or wider quality).
- Local counter fraud team (where concerns relate to fraud) – for further

information please access the [Anti Fraud Bribery and Corruption Policy and Response Plan](#). Anti-Fraud Specialist - where concerns relate to fraud, bribery or corruption (including in relation to the Fraud Act 2006, Bribery Act 2010, and The Economic Crime and Corporate Transparency Act 2023, incorporating the new 'failure to prevent fraud' corporate offence). The ICB's Anti-Fraud Specialist is Kevin Howells who can be contacted on kevin.howells@miaa.nhs.uk 07825 732 629 / 0151 285 4500.

- Our Freedom to Speak Up Guardians, who can support you to speak up if you feel unable to do so by other routes. The guardian will ensure that people who speak up are thanked for doing so, that the issues they raise are responded to, and that the person speaking up receives feedback on the actions taken. You can find out more about the guardian role [here](#). The ICB guardians can be contacted at the following email address: healthierlsc.ftsu@nhs.net.
- Our Freedom to Speak Up Champions, who are a point of contact within the ICB and will support colleagues in accessing FTSU. They will also often signpost colleagues to where work is best suited if the FTSU process is not appropriate for a particular situation. You can find out more about our network of FTSU champions on the [ICB intranet](#).
- Our HR team.
- The Chief Nurse is the executive lead responsible for Freedom to Speak Up, who provides senior support for our speaking-up guardians and are responsible for reviewing the effectiveness of our FTSU arrangements.
- Our non-executive director responsible for Freedom to Speak Up, Jane O'Brien - provides more independent support for the guardian; provide a fresh pair of eyes to ensure that investigations are conducted with rigor; and help escalate issues, where needed.

Externally

If you do not want to speak up to someone within your organisation, you can speak up externally to:

- [Care Quality Commission](#) (CQC) for quality and safety concerns about the services it regulates – you can find out more about how the CQC handles concerns [here](#).
- [NHS England](#) for concerns about:
 - GP surgeries
 - Dental practices
 - Optometrists
 - Pharmacies
 - How NHS trusts and foundation trusts are being run

(this includes ambulance trusts and community and mental health trusts)

- NHS procurement and patient choice
- The national tariff

NHS England may decide to investigate your concern themselves, ask the ICB or another appropriate organisation to investigate (usually with their oversight) and/or use the information you provide to inform their oversight of the relevant organisation. The precise action they take will depend on the nature of your concern and how it relates to their various roles.

Please note that neither the Care Quality Commission nor NHS England can get involved in individual employment matters.

- [NHS Counter Fraud Agency](#) for concerns about fraud and corruption, using their [online reporting form](#) or calling their freephone line 0800 028 4060.

If you would like to speak up about the conduct of a member of staff, you can do this by contacting the relevant professional body such as the General Medical Council, Nursing and Midwifery Council, Health & Care Professions Council, General Dental Council, General Optical Council or General Pharmaceutical Council.

Appendix 4 contains information about making a 'protected disclosure'.

9. How Should I Speak Up?

You can speak up to any of the people or organisations listed above in person, by phone or in writing (including email). A reporting form is also available [here](#).

Confidentiality

The most important aspect of speaking up is the information you can provide, not your identity.

You have a choice about how you speak up:

- Openly - you are happy that the person you speak up to knows your identity and that they can share this with anyone else involved in responding.
- Confidentially - you are happy to reveal your identity to the person you choose to speak up to on the condition that they will not share this without your consent.
- Anonymously - you do not want to reveal your identity to anyone. This can make it difficult for others to ask you for further information about the matter and may make it more complicated to act to resolve the issue. It also means that you might not be able to access any extra support you need and receive any feedback on the outcome. Anonymous reporting is available on the referral form [here](#).

In all circumstances, please be ready to explain as fully as you can the information and circumstances that prompted you to speak up.

10. Advice And Support

You can find out about the local support available to you on the [ICB intranet](#). Your local staff networks can also be a valuable source of support, further information regarding accessing these can be found [here](#).

You can also access a range of health and wellbeing support via NHS England:

- [Support available for our NHS people.](#)
- [Looking after you: confidential coaching and support for the primary care workforce.](#)
- NHS England has a [Speak Up Support Scheme](#) that you can apply to for support. You can also contact the following organisations:
- [Speak Up Direct](#) provides free, independent, confidential advice on the speaking up process.
- The charity [Protect](#) provides confidential and legal advice on speaking up.
- The [Trades Union Congress](#) provides information on how to join a trade union.
- [The Law Society](#) may be able to point you to other sources of advice and support.
- [The Advisory, Conciliation and Arbitration Service](#) gives advice and assistance, including on early conciliation regarding employment disputes.

NHSE issued guidance in May 2025 to help staff and patients understand the process, and FTSU guardians and information governance professionals to manage information raised in a safe and appropriate way. This guidance can be access via the following link: [Freedom to Speak Up - NHS Transformation Directorate](#).

11. What Will We Do?

The matter you are speaking up about may be best considered under a specific existing policy/process; for example, the ICB process for dealing with a Grievance or Bullying and Harassment. If so, we will discuss that with you. If you speak up about something that does not fall into an HR or patient safety incident process, this policy ensures that the matter is still addressed.

What you can expect to happen after speaking up is shown in Appendix 3. The guardians hold a Standard Operating Procedure which outlines the tools and templates used to follow Appendix 3.

Resolution and investigation

The ICB supports its supervisors and managers to listen to the issue you raise and take action to resolve it wherever possible. In most cases, it's important that this opportunity is fully explored, which may be with facilitated conversations and/or mediation.

Where an investigation is needed, this will be objective and conducted by someone who is suitably independent (this might be someone outside of the ICB or from a different part of the organisation) and trained in investigations. It will reach a conclusion within a reasonable timescale (which we will notify you of), and a report will be produced that identifies any issues to prevent problems recurring.

Any employment issues that have implications for you/your capability or conduct identified during the investigation will be considered separately.

Communicating with you

The ICB will treat you with respect at all times and will thank you for speaking up. We will discuss the issues with you to ensure we understand exactly what you are worried about. If we decide to investigate, we will tell you how long we expect the investigation to take and agree with you how to keep you up to date with its progress. Wherever possible, we will share the full investigation report with you (while respecting the confidentiality of others and recognising that some matters may be

strictly confidential; as such it may be that we cannot even share the outcome with you).

How we learn from your speaking up

We want speaking up to improve the services we provide for patients and the environment our staff work in. Where it identifies improvements that can be made, we will ensure necessary changes are made, and are working effectively. Lessons will be shared with teams across the organisation, or more widely, as appropriate.

Senior leaders' oversight

The senior lead for FTSU in the ICB should take responsibility for completing the reflection and planning tool at least every two years. The ICBs most senior leaders will receive a report at least annually providing a thematic overview of speaking up by our staff to our FTSU guardian(s).

12. Governance and Reporting

The Audit Committee has a responsibility to review the adequacy and security of the ICB's arrangements for its employees, contractors and external parties to raise concerns, in confidence, in relation to financial, clinical management, or other matters. The Committee shall ensure that these arrangements allow proportionate and independent investigation of such matters and appropriate follow up action.

The People and Culture Committee receive a quarterly update regarding FTSU developments to provide assurance on the development and embedding of the service and to report themes, trends and actions taken. The People and Culture Committee has established a sub committee which will oversee developments in speaking up and report these to the People and Culture Committee.

13. Due Regard

In applying this policy we, the ICB, will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender including non-binary, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

14. Monitoring and Review

The ICB will have responsibility to monitor the effectiveness of this policy and review it alongside local process on a biennial basis and changes made as appropriate. Where review is necessary due to legislative change, this will happen immediately. Minor changes may be approved by the ICB Executive Team. Once approved the Policy will be made available to all staff via the ICBs intranet/shared folder and also

circulated via the staff communications.

15. Appendix 1 - EIA



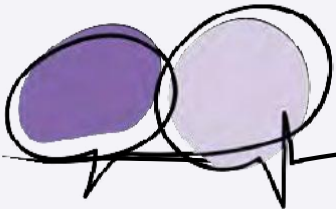
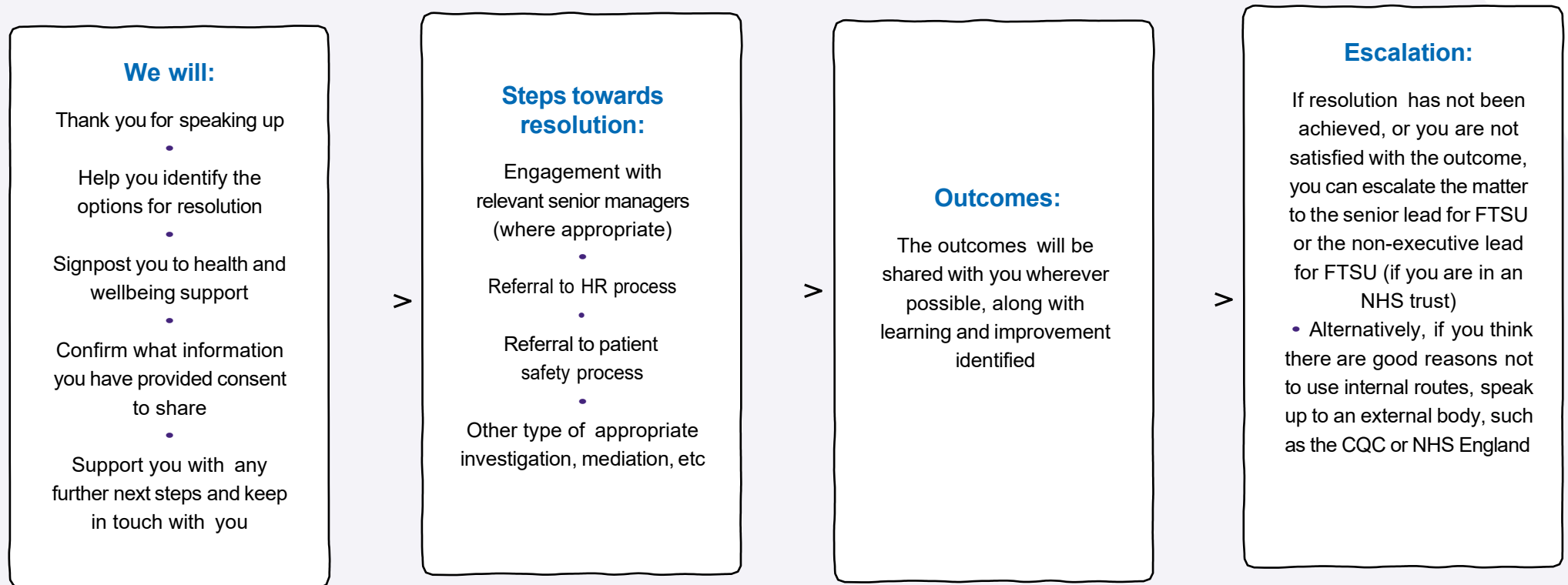
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16. Appendix 2 – Reflection and Planning Tool



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Up - Reflection and Pl

17. Appendix 3 – What will happen if I speak up?



18. Appendix 4 – making a protected disclosure

Making a ‘protected disclosure’

A protected disclosure is defined in the Public Interest Disclosure Act 1998. This legislation allows certain categories of worker to lodge a claim for compensation with an employment tribunal if they suffer as a result of speaking up. The legislation is complex and to qualify for protection under it, very specific criteria must be met in relation to who is speaking up, about what and to whom. To help you consider whether you might meet these criteria, please seek independent advice from the [Protect](#) or a legal representative.

